



US Army Corps  
of Engineers  
Portland District

# PUBLIC NOTICE

## for Permit Application

30-Day Notice

**Issue Date:** July 17, 2008

**Expiration Date:** August 15, 2008

**Corps of Engineers No:** NWP-2008-440

**Oregon Department of State Lands No:** 41076-RF

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

**Comments:** Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
Ms. Merina Christoffersen  
1600 Executive Parkway, Suite 210  
Eugene, Oregon 97401-2156

**Applicant:** Mr. Matt Jacobs of Oakwood Homes  
175 Calapooia Street, Sutherlin, Oregon 97479

**Location:** The project is located in abutting wetlands and an unnamed stream tributary in Roseburg, Douglas County, Oregon. The site is in Section 7, Township 27 South, Range 5 West.

**Waterway:** The abutting wetlands and unnamed stream are tributaries to Newton Creek, which is a tributary to the South Umpqua River, which is a navigable water of the U.S. The Corps is still evaluating the wetland delineation.

**Project Description:** An estimated five acres of wetland would be filled to construct a subdivision, including associated streets, utilities, and infrastructure. Parker Road would be widened and extended for access, and stormwater ditches constructed to re-route hydrology.

**Mitigation:** The applicant has proposed to purchase acre-credits from a certified mitigation bank within the project's service area as compensatory wetland mitigation for the fill. If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

**Purpose:** Provide housing in the Roseburg area.

**Drawing(s):** Five (5) drawings labeled Corps No. NWP-2008-440 are included.

**Additional Information:** Additional information may be obtained from Ms. Merina Christoffersen, Project Manager, U.S. Army Corps of Engineers by email at [merina.e.christoffersen@usace.army.mil](mailto:merina.e.christoffersen@usace.army.mil) or telephone (541)465-6882.

**Authority:** This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

**Water Quality Certification:** A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

**Section 404(b)(1) Evaluation:** The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

**Public Hearing:** Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state with particularity the reasons for holding a public hearing.

**Endangered Species:** Preliminary determinations indicate that the described activity will not affect endangered species. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) is not required for the described activity.

**Cultural Resources:** An initial evaluation of the proposed project area indicates that the described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to affect an undisturbed historic property or any other type of cultural resource.

This notice has been provided to the State Historic Preservation Office, interested Native American Indian Tribes, and other interested parties. If you have information pertaining to cultural resources within the permit area, please provide this information to the Corps project manager (identified on page 1 of this notice) to assist in a complete evaluation of potential effects.

**Evaluation:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**Additional Requirements:** State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority previously indicated may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

**PUBLIC NOTICE**  
**Oregon Department of Environmental Quality (DEQ)**  
**Water Quality 401 Certification**

**Corps of Engineers No:** NWP-2008-440  
**Oregon Department of State Lands No:** 41076-RF

**Notice Issued:** July 17, 2008  
**Written Comments Due:** August 15, 2008

**WHO IS THE APPLICANT:** Mr. Matt Jacobs of Oakwood Homes

**LOCATION OF CERTIFICATION ACTIVITY:** See attached U.S. Army Corps of Engineers public notice.

**WHAT IS PROPOSED:** See attached U.S. Army Corps of Engineers public notice on the proposed project.

**NEED FOR CERTIFICATION:** Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

**DESCRIPTION OF DISCHARGES:** See attached U.S. Army Corps of Engineers public notice on the proposed project.

**WHERE TO FIND DOCUMENTS:** Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Northwest Region, 401 Water Quality Certification Coordinator, 2020 SW Fourth Avenue, Suite 400, Portland, Oregon 97201-4987.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Ms. Jan Coomler at (503) 229-5087.

Any questions on the proposed certification may be addressed to the 401 Water Quality Certification Coordinator, (503) 229-6030 or toll free within Oregon at (800) 452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

**PUBLIC PARTICIPATION:**

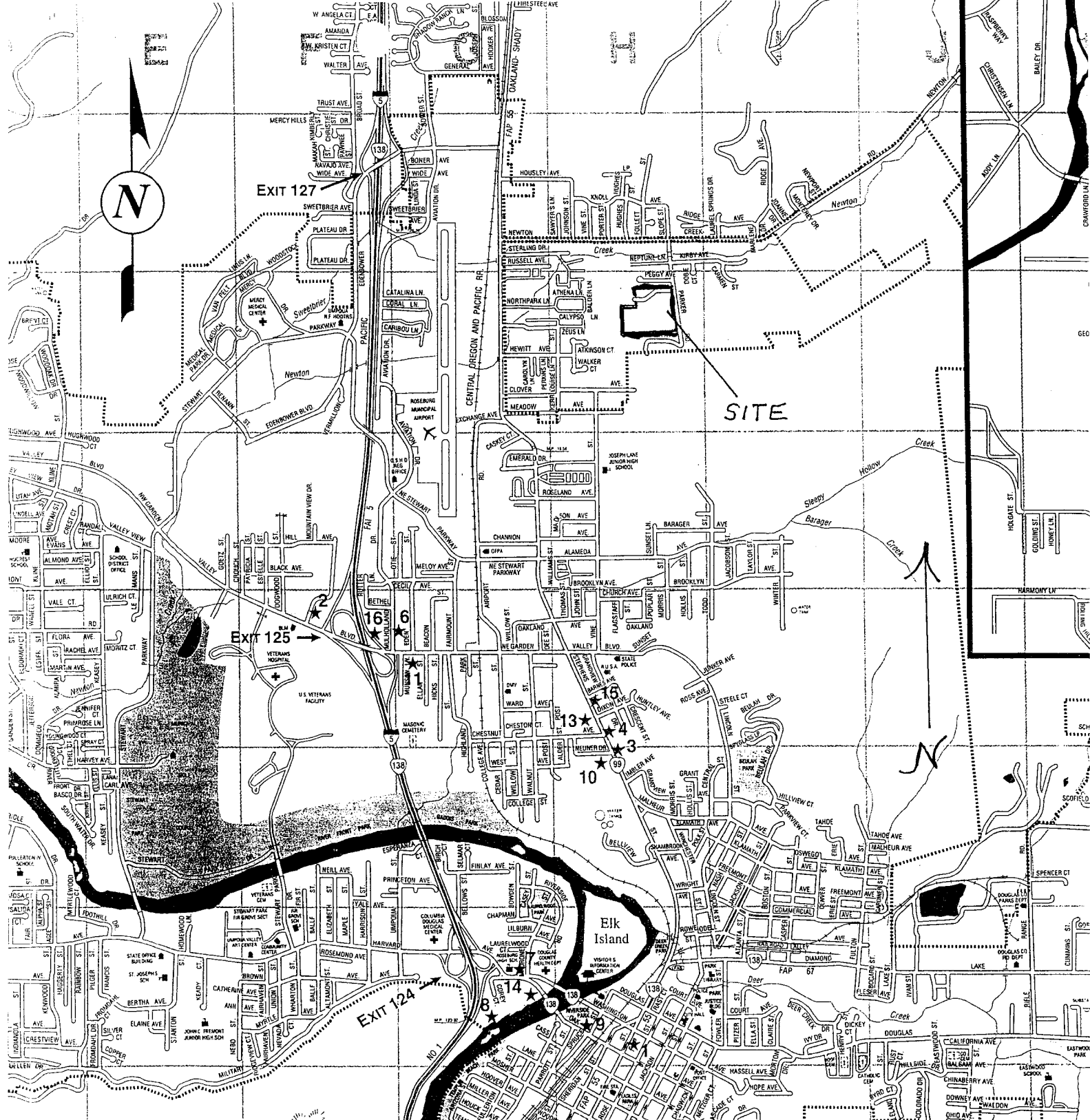
**Public Hearing:** Oregon Administrative Rule (OAR) 340-48-0020 (6) states that “The Corps provides public notice of and opportunity to comment on the applications, including the application for certification, provided that the department (DEQ), in its discretion, may provide additional opportunity for public comment, including public hearing.”

**Written comments:**

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on **August 15, 2008**. Written comments should be mailed to Oregon Department of Environmental Quality, Northwest Region, Attn: 401 Water Quality Certification Coordinator, 2020 SW Fourth Avenue, Suite 400, Portland, Oregon 97201-4987 or faxed to (503) 229-6957. *People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, emails should be aware that if there is a delay between servers or if a server is not functioning properly, emails may not be received prior to the close of the public comment period.* People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format to [401publiccomments@deq.state.or.us](mailto:401publiccomments@deq.state.or.us). Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

**WHAT HAPPENS NEXT:** DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

**ACCESSIBILITY INFORMATION:** This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at (800) 452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.



### SITE LOCATION MAP

Leave I-5 at Exit 127 and turn east onto Edenbower Blvd. Just past the railroad tracks, turn right onto 99. Drive approximately 0.2 miles and turn left onto Newton Creek Road. Drive approximately 0.5 miles and turn right onto Parker Road. Drive past Peggy Ave and the unnamed road and park on Parker Road next to the site.

1 Inch = 2000 Ft. Approx.

#### LEGEND

- PUBLIC BUILDING
- COURT HOUSE
- CITY HALL
- ARMORY
- LIBRARY
- POST OFFICE
- SCHOOL

Corps No. NWP-2008-440

2 1/2" = 1 Mile

NW1/4 NW1/4 SEC. 7 T.27S. R.5 W. W.M.  
DOUGLAS COUNTY

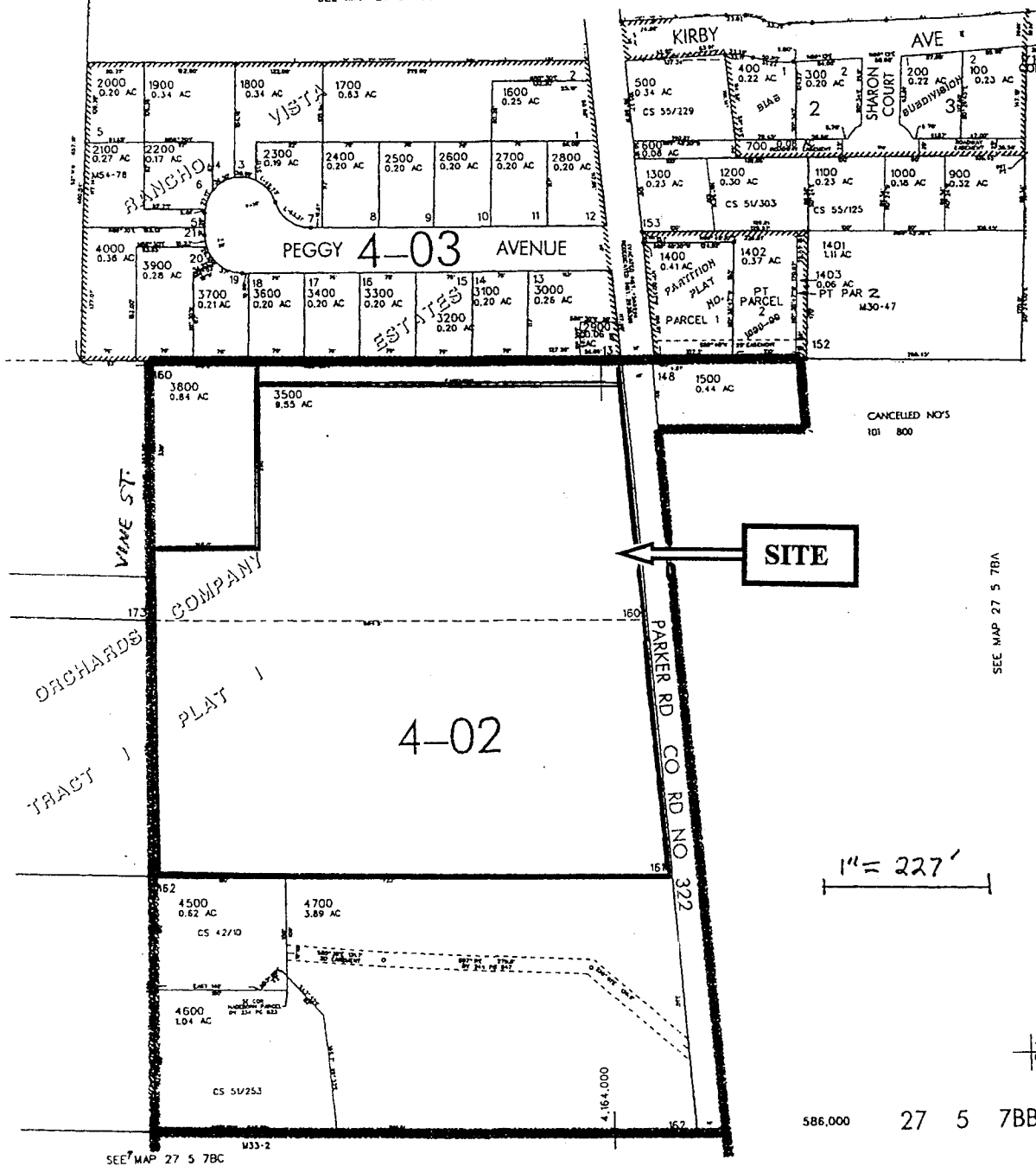
REVISED ON  
11-8-00

27 5 7BB

1"=100'

SEE MAP 27 5 6CC

SEE MAP 27 5 6CD



CANCELLED NO'S  
101 800

SEE MAP 27 5 7BA

586,000

27 5 7BB

SEE MAP 27 5 7BC

Approximate Scale: 1 Inch = 227 Feet

### TAX LOT MAP

Land and Water  
Environmental Services, Inc.  
525 SE Main Street  
Roseburg, OR 97470  
Tel: (541)-672-0393/  
Fax: 672-7170

Date: March 2008  
Design: LAWESI  
Drawn: JL  
Checked: LW

Project name:  
OAKW-01

**FIGURE 2**

